

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

EPLUS, INC.,

Plaintiff,

v.

PERFECT COMMERCE, INC.,
SCIQUEST, INC., LAWSON
SOFTWARE, INC., and VERIAN
TECHNOLOGIES, INC.,

Defendants.

Civil Action No. 2:09-CV-232-HCM-TEH

**DECLARATION OF RITA E. TAUTKUS IN SUPPORT OF MOTION OF
DEFENDANTS PERFECT COMMERCE, LLC, SCIQUEST, INC., AND LAWSON
SOFTWARE, INC. TO STAY PROCEEDINGS IN LIGHT OF PENDING
REEXAMINATIONS OF PATENTS-IN-SUIT**

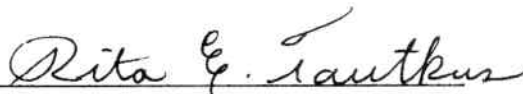
I, Rita E. Tautkus, hereby declare as follows:

1. I am of counsel at the law firm of Morgan, Lewis & Bockius LLP, One Market Street, Spear Street Tower, San Francisco, CA 94105, and a member in good standing of the Bar of the State of California and my *pro hac vice* application is pending for the herein action. Morgan, Lewis & Bockius LLP has been retained as trial counsel for Defendants SciQuest, Inc. and Lawson Software, Inc. in the present action. I submit this declaration in support of Motion of Defendants Perfect Commerce, LLC¹, SciQuest, Inc. and Lawson Software, Inc. to Stay Proceedings in Light of Pending Reexaminations of Patents-In-Suit.

2. Attached hereto as Exhibit A is a true and correct copy of the United States Patent and Trademark Office, *Ex Parte* Reexamination Filing Data, March 31, 2009, http://www.uspto.gov/web/patents/documents/ex_parte.pdf, last accessed 7/10/09.

3. Attached hereto as Exhibit B is a true and correct copy of the United States Patent and Trademark Office, *Inter Partes* Reexamination Filing Data, June 30, 2009, http://www.uspto.gov/web/patents/documents/inter_partes.pdf, last accessed 7/10/09.

I declare under the penalty of perjury that the foregoing is true and correct. Executed in San Francisco, California, on July 14, 2009.


Rita E. Tautkus

¹ The Complaint incorrectly identifies Perfect Commerce as a corporation; instead, Perfect Commerce is a limited liability company. See Doc. No. 27, at 1 n.1 and 4.

Dated: July 14, 2009

Respectfully submitted,

/s/ Stephen E. Noona

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CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2009, I will electronically file the foregoing Declaration of Rita E. Tautkus in Support of Motion of Defendants Perfect Commerce, LLC, SciQuest, Inc., and Lawson Software, Inc. to Stay Proceedings in Light of Pending Reexaminations of Patents-in-Suit with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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